

### REMARKS

Claims 1-47 were presented for examination. Claims 1-42, 44, 45 and 47 are pending. Claims 1-15, 24, 31-38, 41, 42, 44, 45 and 47 are rejected. Reconsideration is respectfully requested.

#### The 35 U.S.C. § 103 Rejections

Claims 1-5, 8-15, 24, 31, 34 and 36-38 are rejected as being unpatentable over Johnson et al. in view of Paron et al. The rejection is respectfully traversed.

Claim 1 has been amended to include all of the limitations on claim 16, which the examiner has indicated to be allowable. Claims 2 and 14 have been canceled. Claims 3-5, 8-13, 15 and 24 depend from claim 1. Claim 31 has been amended to depend from claim 25, which has been amended to include all of the limitations of claim 1. Claim 34 has been amended to include the step of sensing an absorption spectrum of wine, which the examiner has indicated to be allowable subject matter. Claim 36 depends from claim 34. Claim 37 is canceled. Claim 38 depends from claim 34. Therefore the rejection should be withdrawn.

Claims 6, 7, 24, 32, 33, 35, 41, 42, 44, 45 and 47 are rejected as being unpatentable over Johnson et al. and Paron et al. in view of Reber et al. The rejection is respectfully traversed.

Claims 6, 7 and 24 depend from claim 1. Claims 32 and 33 depend from claim 25. Claim 35 is canceled. Claim 41 depends from claim 40, which the examiner has indicated to be allowable. Claims 42, 44, 45 and 47 are canceled. Therefore the rejection should be withdrawn.

#### Allowable Subject Matter

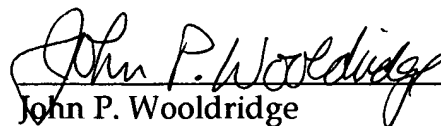
Claims 16-23, 25-30, 39 and 40 are objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

#### Conclusions

It is submitted that this application is in condition for allowance based on claims 1, 3-13, 15, 17-34, 36, 38, 40 and 41 in view of the amendments thereto and the foregoing comments.

If any impediments remain to prompt allowance of the case, please contact the undersigned at 808-270-1011.

Respectfully submitted,

  
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